

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	
HEALTHCARE REAL ESTATE)	Chapter 7
PARTNERS, LLC,)	Bankruptcy Case No. 15-11931-CTG
)	Bankr. BAP No. 23-0030
)	
Debtor.)	
)	
SUMMIT HEALTHCARE REIT, INC.,)	
RICHARD G. PETERS, LEROY J. BLAKE,)	
ROXIE M. BYBEE, JAMES D. FRANKLIN,)	
JOHN BAIKIE, JOHN JACOB)	
SPECKMANN, ARNOLD GOLDENBAUM,)	
MARK SAULIC and BRYAN TAYLOR,)	
)	
Appellants)	
)	
v.)	Civil Action No. 23-585-GBW
)	
HEALTHCARE REAL ESTATE)	
PARTNERS, LLC,)	
)	
Appellee.)	
)	

ORDER

At Wilmington, Delaware, this **4th day of June 2024**,

WHEREAS, pursuant to Section 1 of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District (“Procedures”), dated July 19, 2023, the Court conducted an initial review of this matter, including having gathered information from the parties and their counsel, in order to determine the appropriateness of mediation for the case;

WHEREAS the parties jointly agree that their disputes here cannot be resolved through mediation and the Court agrees;

THEREFORE, pursuant to Section 1 of the Procedures, the Court determines that mediation is not appropriate in this matter and recommends that the assigned District Judge issue an order withdrawing the matter from mediation and setting the following appellate briefing schedule (agreed to by the parties):

1. Appellants must file their opening brief on the Section 362(k) Appeal by **July 15, 2024**;
2. Appellee must file its consolidated opening brief on the Cross-Appeal and Section 303(i) Appeal and its response brief on the Section 362(k) Appeal by **August 14, 2024**;
3. Appellants must file their consolidated reply brief in support of the Section 362(k) Appeal and their response brief on the Cross-Appeal and Section 303(i) Appeal by **August 28, 2024**; and
4. Appellee must file its reply brief on issues raised in their opening brief on the Cross Appeal and Section 303(i) Appeal by **September 12, 2024**.


Christopher J. Burke
UNITED STATES MAGISTRATE JUDGE